

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

WP(C).No. 3033 of 2006(J)

PETITIONER:

P.VENUGOPALAN, S/O.P.VELAPPA NAIR,
AGED 54 YEARS, "SREYAS", NEAR ETTUKULAM,
AYYANTHOLE P.O., THRISSUR-3
(H.S.A. AT THE GOVERNMENT HIGH SCHOOL SHORNUR)

BY ADV. SRI.DENIZEN KOMATH
SMT.SHAIMA .U.

RESPONDENTS:

1. THE DEPUTY OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.
2. THE DEPUTY DIRECTOR OF EDUCATION,
OFFICE OF THE DEPUTY DIRECTOR OF EDUCATION,
PALAKKAD.
3. THE GOVERNMENT HIGH SCHOOL,
GANESH GIRI, SHORNUR-3, REPRESENTED BY ITS
HEADMISTRESS.

BY GOVT. PLEADER SMT. M.R. SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC. 3033 OF 2006.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE PHOTO COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN W.P.(C) 25868/05 DATED 31.8.2005.

EXT. P2 : TRUE PHOTO COPY OF THE ARGUMENT NOTES PREFERRED BY THE PETITIONER.

EXT. P3 : TRUE PHOTO COPY OF THE ORDER OF DIRECTOR OF PUBLIC INSTRUCTION, THIRUVANANTHAPURAM DATED 19.11.2005 BEARING ORDER NO.D6/8262/05/DPI.

EXT. P4 : TRUE PHOTO COPY OF THE ORDER NO.D5/31122/05/DPI, DATED 19.11.2005.

K.M.JOSEPH, J.

WP.(C) No.3033 OF 2006

Dated this the 9th day of January, 2007

JUDGMENT

The prayers in the writ petition are to call for the records relating to the issuance of Exts.P3 and P4, to issue a direction to consider the claim of the petitioners for retrospective promotion within a time limit and for a direction to ensure that petitioner is afforded the claim for promotion retrospectively. In Ext.P3 it is stated as follows:

“The name of the petitioner has been included in the select list for the post of HM/DEO in the DPC held on 18.10.2005. Based on the above the petitioner has been promoted as per order dated 19.11.2005. The question of granting retrospective promotion will be examined later for which report has been called for from the Deputy Director of Education Palakkad.”

It is stated that the judgment in W.P.(C) 25868 of 2005 is seen complied with. Ext.P4 is of the same date as of Ext.P3 issued by the Director.

2. I heard learned Government Pleader also. Ext.P3 is dated 19.11.2005. Nearly 14 months have gone by after the issuance of

Ext.P3. I feel that in such circumstances a decision on the question of granting retrospective promotion, which was postponed stating that the matter will be examined later, for which a report will be called for from the Deputy Director, should be taken within a time limit.

Accordingly there will be a direction to the first respondent to consider and take a decision in accordance with law on the question of granting retrospective promotion to the petitioner, which is postponed in Ext.P3, within a period of two months from the date of receipt of a copy of this judgment, if it has not already been done.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

sb

K.M.JOSEPH, JJ.

W.A. No. OF

JUDGMENT

Dated this the day of February, 2006.